



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

NOTES AND COMMENTS.

WHEN CONGRESS SHOULD CONVENE.

UNDER the present law Congress does not convene in regular session until thirteen months after the election of its members.

There was some apology for such a provision at the time of the formation of our government, for the reason that it then took a long period of time to ascertain the results of elections and to reach the capital from remote parts of the country. But there is no excuse whatever now since the most distant part of the nation is within six days' travel of Washington City.

A bill has been introduced in Congress providing that the first session shall convene on the first Monday following the 4th day of March of the year next succeeding the election of representatives,* and that the second session shall assemble on the first Monday after the first day of January of the year next succeeding.

There are four strong reasons for the passage of such a measure :

1. The lower branch of Congress should at the earliest practicable time enact the principles of the majority of the people as expressed in the election of each Congress. That is why the Constitution requires the election of a new Congress every two years. If it were not to reflect the sentiment of the people then frequent elections would have no meaning or purpose. Any evasion of that rule is subversive of the fundamental principle of our government, that the majority shall rule. No other government in the world has its legislative body convene so long after the expression of the people. During the campaign preceding a Congressional election the great questions that divide the political parties are thoroughly discussed. Under a republican form of government the people are the final arbiters and it is their prerogative to have their sentiments crystalized into legislation. "The voice of the people is the supreme law." It seems trifling with their rights when their mandates cannot be obeyed within a reasonable time.

It is unfair to an administration that the legislation which it thinks so essential to the prosperity of the country should be so long deferred that the time for electing a new Congress should arrive before the operation of the law can have reasonable trial. Within five months after the McKinley tariff was enacted a new Congress was elected with nearly two-thirds Democratic majority.

It is true there may be an earlier convening of Congress, but to effect this the President must resort to the unpopular measure of calling an extra ses-

* It would be better if the first session could convene in January, but a constitutional provision fixes the fourth of March as the beginning of the term of a representative, and hence prevents any earlier date.

sion. The people are always anxious over the cost of, and the political unrest occasioned by, long or extra sessions of legislative bodies.

2. As the law is at the present time, the second regular session does not commence until after the election of the succeeding Congress. Although the Fifty-fifth Congress has been elected, the Fifty-fourth Congress is still enacting the laws for the people.

As an election often changes the political complexion of a Congress, under the present law, many times we have the injustice of a Congress that has been repudiated by the people enacting laws for the people diametrically opposed to the last expression of the people. Such a condition is an outrage upon the rights of the majority.

A member of Congress can barely get started in his work until the time arrives for the nominating convention of his district. He has accomplished nothing and hence has made no record upon which to go before his party or his people. This is an injustice both to the member and to the people. The record of a Representative should be complete before he asks an endorsement of his course.

3. Under the present law a Representative in Congress who has been turned down by the people legislates for that people in the second regular session. It is a misnomer to call him a Representative in that session.

A man who has been defeated for re-election is not in a fit frame of mind to legislate for his people. There is a sting in defeat that tends to engender the feeling of resentment which often finds expression in the vote of such members against wholesome legislation. That same feeling often produces such a want of interest in proceedings as to cause the member to be absent nearly all the second session.

Congressmen are not usually men of means. Their Congressional career has resulted in the destruction of their clientage or business. To a defeated member who has relied upon his salary for support, the future looks dark and gloomy. It is then some are open to propositions which they would never think of entertaining if they were to go before the people for re-election. It is then that the attorneyship of some corporation is often tendered and a vote is afterward found in the record in favor of legislation of a general or special character favoring the corporation. If an affirmative vote cannot be had it is often just as important that the member should be absent. If there is ever a time in the history of the man when he will directly or indirectly accept a bribe it is then. There is less chance of detection. He is no longer a political factor. His political enemies no longer watch his course. The opposition newspapers no longer criticise his conduct: "the secret is his own and it is safe."

There are many upright men in Congress who would not be influenced by defeat. But in as large a body as the House of Representatives there must always be some who would yield to temptation. It is a fact that nearly all, if not all, of the legislation that is claimed to have been passed by corrupt influences was enacted during these second regular sessions of Congress.

4. Under the present system a contest over a seat in Congress is seldom ever decided until more than half of the term, and in many instances, until the period of twenty-two months of the term has expired. For all that time the occupant of the seat draws the salary, and when his opponent is seated he also draws the salary for the full term. Thus the government pays twice for the representation from that district. But that is not the worst feature

of the situation. During all of that term the district is being misrepresented in Congress. If the House of Representatives goes to work on the contested election cases at the very beginning of the term of office, as it would do if Congress met at that time, these cases could be disposed of during the first session. Thus a great saving would accrue to the government and the Congressional district for almost all of the term be properly represented.

Although this measure appears to be one of procedure, the great influence for good which it must exert upon legislation makes it one of the most important acts that could be passed.

JOHN F. SHAFROTH.

THE QUESTION OF SHIPS.

IN the NORTH AMERICAN REVIEW for January Capt. John Codman, condemning with characteristic vigor the mistaken idea of looking to a revival of obsolete differential duties to restore our merchant marine, offers the almost equally obsolete idea of "free ships" as an alternative.

The good captain has been a valiant champion of the "free ship" theory for forty years. His persistence is splendid, but he seems to be oblivious to the fact that the world has been moving in the interval. He is still arguing in effect upon the basis of the conditions of 1855-60. Meanwhile conditions have been revolutionized. It is the United States, not Great Britain, which now stands as the world's first iron and steel manufacturing nation. The American production of pig iron in 1892 was 9,157,000 tons; the British, 6,616,000. From a tugboat to a battleship there is no task of iron-working which American builders are not prepared to undertake, and, indeed, have not undertaken. "Free ship" arguments which should have been convincing in 1861 are now absolutely worthless.

No "war tariff" longer weighs on native shipbuilding. The McKinley law made materials for iron and steel vessels for the foreign trade free of duty. After working up into a four masted clipper a shipload of Scotch plates and beams, Mr. Arthur Sewall, of Bath, the recent Democratic candidate for Vice-President, declared: "I find that I can get all the material on this side cheaper than by going abroad; and so our next ship will be built entirely of American materials." There is distinguished evidence that domestic competition has now brought the price of high class American shipbuilding down to the foreign level, and that a "free ship" law is unnecessary and would be ineffective. It is understood that the "St. Louis" and "St. Paul" would have cost about as much on the Clyde as they cost on the Delaware, and President Huntington, of the Pacific Mail, who has lately received proposals for a first-class steamship from shipyards both here and abroad, is quoted as saying that "the prices of American builders are practically the same as those in England," although "in the best class of vessels American work is superior."

The President of the International Navigation Company, Mr. Clement A. Griscom, declared two years ago in Philadelphia that he and his associate managers of the foremost shipping concern under the American flag could see no benefit in general "free ship" legislation. What the practical men of New England thought about it was sufficiently indicated some time earlier by the adoption of a resolution that: "We, the members of the New England Shipowners' Association, as owners and not as builders of